

Oversight Government Reform Bill Senate File 2325

*As Amended by S-5489
House Amendment*

Last Action:

House Floor

April 11, 2002

An Act relating to certain state agency regulatory functions by reorganizing the duties of the department of inspections and appeals, transferring the court appointed special advocate program to the department of inspections and appeals, renaming and revising the duties of the state citizen foster care review board, reorganizing the administrative structure of the department of natural resources, providing for legislative review of state agencies, and revising requirements for licensed birth centers.

Executive Summary Only



LEGISLATIVE FISCAL BUREAU

NOTES ON BILLS AND AMENDMENTS (NOBA)

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EXECUTIVE SUMMARY NOTES ON BILLS AND AMENDMENTS

SENATE FILE 2325 AS AMENDED BY S-5489 OVERSIGHT GOVERNMENT REFORM BILL

HOUSE COMMITTEE AMENDMENT S-5489

• *Page and line numbers refer to the location the amendment action is inserted into SF 2325.*

- Adds language requiring the Director of the Department of Natural Resources to develop a strategy and recommend to the Environmental Protection Commission, the adoption of administrative rules to be implemented by January 1, 2004, related to the recycling of electronic equipment and removal of toxic parts from that equipment. (Page 20, Line 17)
- Strikes language exempting Birth Centers from the requirement of obtaining a certificate of need, and adds conforming language to Section 135.61(2), Code of Iowa, to modify the definition of Birth Center. (Page 28, Line 11)
- Provides for renumbering and other technical corrections to the Bill as necessary.

BILL AS PASSED BY THE SENATE

DIVISION I – DEPARTMENT OF INSPECTIONS AND APPEALS REORGANIZATION

- Specifies the definition of the term “administrator” throughout Chapter 10A, Code of Iowa. (Page 1, Line 3, Page 2, Line 1, Page 3, Lines 7, 30, and 35)
- Transfers responsibility for administration of inspection and licensing of social and charitable gambling from the Inspections Division to the duties of the Director. (Page 1, Line 9 and Page 3, Line 12)
- Eliminates a requirement that the rulemaking authority of the Director in the area of targeted small business is subject to the review and approval of the Director of the Department of Management. (Page 1, Line 13)
- Eliminates the Audits Division. (Page 1, Line 25)
- Eliminates investigation of proposed sales in Iowa of subdivided land situated outside the State, investigation of applications for beer and liquor licenses, and adds audits of various public assistance programs as duties of the Investigations Division. (Page 2, Line 6)
- Eliminates the responsibility for inspections of educational, correctional, and penal institutions, and add responsibility for home food establishments, egg handlers, food processing plants, grocery stores, convenience stores, temporary food establishments, and mobile food units, as duties of the Inspections Division. (Page 3, Line 12)
- Adds the Administrator of the Child Advocacy Board to the list of employees exempted from appointment by the Director of the Department of Inspections and Appeals. (Page 4, Line 28)
- Requires the Court Appointed Special Advocate to submit various reports to the Court and the parties to the proceedings in family in need of assistance and child in need of assistance proceedings. (Page 5, Line 16 through Page 6, Line 19)

DIVISION II – CHILD ADVOCACY BOARD REORGANIZATION

EXECUTIVE SUMMARY NOTES ON BILLS AND AMENDMENTS

SENATE FILE 2325 AS AMENDED BY S-5489 OVERSIGHT GOVERNMENT REFORM BILL

DIVISION II – CHILD ADVOCACY BOARD REORGANIZATION (CONT.)

- Renames the State Citizen Foster Care Review Board to the Child Advocacy Board, increases the size of the Board from seven to nine members, and attaches it administratively to the Department of Inspections and Appeals. (Page 6, Line 30)

DIVISION II (CONTINUED)

- Directs the Child Advocacy Board to assume responsibility for the functions of the Court Appointed Special Advocate (CASA) in place of the Judicial Branch. (Page 7, Line 14 through Page 8, Line 15)
- Directs the Child Advocacy Board to work with the Court Appointed Special Advocate Program to develop a plan for merging the Program with the Citizen Foster Care Review Process. Directs the Board to review other programs or processes in State government that are intended to address the best interests of a child who is subject to out-of-home placement or other Juvenile Court oversight. (Page 8, Line 16)

DIVISION III – DEPARTMENT OF NATURAL RESOURCES REORGANIZATION

- Requires the Board to submit a report to the Governor, the General Assembly, and the Supreme Court on the two study areas by December 16, 2002. (Page 8, Line 16)
- Eliminates references to the seven existing divisions within the Department of Natural Resources (DNR). (Page 8, Line 31 through Page 25, Line 8)
- Provides the authority to the Director to establish divisions, bureaus, or other administrative entities as appropriate to efficiently and effectively carry out the Department's responsibilities, in consultation with the Natural Resource Commission and the Environmental Protection Commission. (Page 15, Line 6)

FISCAL IMPACT

- The current structure of the DNR contains seven divisions and 21 bureaus. The Department plans to establish three divisions and 16 bureaus as part of the reorganization. The Department has indicated it will eliminate four division administrators and five bureau chiefs for an estimated savings of \$414,000 to the General Fund and \$153,000 in other funds.

CONTROLLED BURNING OF DEMOLISHED BUILDINGS

- Requires the Environmental Protection Commission to adopt rules permitting cities to conduct controlled burns of demolished buildings, specifies certain restrictions, and prohibits controlled burning in specified cities. (Page 16, Line 22)

TRANSFER OF ABANDONED WELLS PROGRAM

- Transfers the funds and responsibilities related to oversight and testing of private rural water supply wells, private rural water supply well sealing, and the proper closure of private rural abandoned wells and cisterns from the DNR to the Department of Public Health. (Page 20, Line 31)
- It is estimated that \$1.3 million from the Ground Water Protection Fund would transfer to the Department of Public Health and \$111,000 would be kept by DNR for administrative expenses.

DEMOLITION SITE WASTE MATERIAL TASK FORCE

- Requires the DNR, in cooperation with the Department of Economic Development, to establish a Demolition Site Waste Task Force to study the issues related to the disposal of waste material from demolished buildings. (Page 25, Line 9)

EXECUTIVE SUMMARY NOTES ON BILLS AND AMENDMENTS

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DIVISION IV – LEGISLATIVE OVERSIGHT COMMITTEE

- Adds statutory language creating the Legislative Oversight Committee as a permanent committee of the Legislative Council. Specifies that the charge of the Oversight Committee is to systematically review the programs, agencies, and functions of the Executive and Judicial Branches to ensure that public resources are used in the most efficient manner. (Page 26, Line 22)

- Requires agencies selected for review by the Committee to provide information as requested to the Committee. (Page 26, Line 32)

DIVISION V – REGULATION OF BIRTH CENTERS

- Repeals Chapter 135G, Code of Iowa, relating to licensure and regulation of Birth Centers, and makes conforming changes in other sections of the Code of Iowa. (Page 27, Line 30 though Page 30 Line 4)